

#SECTOR

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents,
Attn: Box Missing Parts,
Washington, D.C. 20231, on April 7, 1999

PATENT

Attorney Docket No. 014137-012910

#3

TOWNSEND and TOWNSEND and CREW LLP

By

Joy M. Marshall
Joy M. Marshall

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gilbert, et al.

Application No.: 09/211,691

Filed: December 14, 1998

For: **FUSION PROTEINS FOR USE IN
ENZYMATIC SYNTHESIS OF
OLIGOSACCHARIDES**

Examiner: Not Assigned

Art Unit: 1635

TRANSMITTAL LETTER - RESPONSE
TO NOTICE OF MISSING PARTS

Attn: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Application - Filing Date Granted dated January 7, 1999, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration
- 2) Certificate of Assignee Under 37 C.F.R. § 3.73(b)
- 3) Power of Attorney
- 4) Copy of Notice of Missing Parts

Please charge Deposit Account No. 20-1430 for the following fees:

Large entity: (a) Filing Fee (§ 1.16(a)) (Large Entity) \$ 760.00

(b) Excess Claims Fees (§ 1.16(b), (c)):

$35 - 20 = 15 \times \$ =$ \$270.00

$2 - 3 = 0.00 \times \$ =$ \$0.00

(c) Missing Parts Surcharge \$130.00

TOTAL FEES TO BE CHARGED \$1160.00

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,



Timothy L. Smith
Reg. No. 35,367

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rev. 3/99
SF 150886 v1
SF 210357 v1



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

| | | | |
|--------------------|---------------------|-----------------------|---------------------------|
| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
|--------------------|---------------------|-----------------------|---------------------------|

09/211,691 12/14/98 GILBERT

#3

M 14137-129-10

020350 0212/0107
TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER EIGHTH FLOOR
SAN FRANCISCO CA 94111

BEST AVAILABLE COPY
NOT ASSIGNED

DATE MAILED 635

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

01/07/99

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 1,160.00.

- ☒ 1. The statutory basic filing fee is:
- ☒ missing.
 - ☐ insufficient.
- Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☒ 2. Additional claim fees of \$ 270.00 including any multiple dependent claim fees, are required.
- \$ _____ for _____ independent claims over 3.
- \$ 270 for 15 dependent claims over 20.
- \$ _____ for multiple dependent claim surcharge.
- Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
- ☒ is missing or unexecuted.
 - ☐ does not cover the newly submitted items.
 - ☐ does not identify the application to which it applies.
 - ☐ does not include the city and state or foreign country of applicant's residence.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

[Signature]
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

BEST AVAILABLE COPY

09211691
00000035 201430
760.00 CH
270.00 CH
130.00 CH
01 FC:101
02 FC:103
03 FC:105
24/14/1999 TL0011